AMENDMENTS TO THE CLAIMS

This Listing of Claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1. (Currently Amended) A method for facilitating a financial transaction over a first network comprising:

issuing a locked programmable memory device to a first user, wherein the programmable memory device contains at least the following for formulating payment instructions, network address instructions for an issuer of the programmable memory device, a first user's financial account information, and an encryption program;

unlocking the programmable memory device at the first user with a first user's predetermined personal identification number;

programming the programmable memory device at the first user to include a first user identification profile and a private/public key pair using the encryption program;

issuing software to a second user, wherein the software includes payment information of the second user including a second user's financial account information and further wherein the software is capable of interacting with the programmable memory device over the first network;

forming a connection between the programmable memory device and the software;

receiving across the connection the payment instructions;

adding the second user's payment information to the payment instructions;

storing the second user's payment information in a programmable memory device of the second user for settlement processing of the financial transaction along with at least one other financial transaction;

routing the payment information and the payment instructions to an issuer utilizing the network address instructions;

receiving the payment information and the payment instructions, wherein the issuer is capable of accessing at least one of the first user's financial account information and a second user's financial account information;

authorizing the financial transaction by authenticating the first user and the second user; and

providing the authorization of the financial transaction to the second user for confirmation.

2. (Original) The method according to claim 1, wherein the payment information of the second user further includes a second user's digital certificate.

3. (Original) The method according to claim 1, wherein the first network is the Internet.

4. (Original) The method according to claim 1, wherein the first network is a wireless network.

5. (Original) The method according to claim 1, wherein the network address instructions include at least one of a universal resource locator and a phone number.

6. (Original) The method according to claim 1, further including authorizing a payment amount read from the payment instructions.

7. (Original) The method according to claim 6, wherein authorizing a payment amount includes requesting via a second network authorization from a first user's financial institution that maintains the first user's financial account information.

8. (Original) The method according to claim 7, wherein the payment instructions further include an encrypted personal identification number recognizable by the first user's financial institution for accessing the first user's financial account information.

9. (Original) The method according to claim 7, wherein the second network is an ATM network.

10. (Original) The method according to claim 7, wherein the second network is the Internet.

11. (Original) The method according to claim 1, wherein the programmable memory device is a smart card.

12. (Original) The method according to claim 1, wherein the first user's financial account information includes the first user's account identifier.

13. (Previously Presented) The method according to claim 12, wherein the first user's account identifier includes at least one of an account type and an account number.

14. (Original) The method according to claim 1, wherein the first user's financial account information includes the first user's financial institution routing number.

15. (Original) The method according to claim 1, wherein the encryption program contains a private key generated by the issuer.

16. (Cancelled)

17. (Previously Presented) The method according to claim 1, wherein the second user's financial account information includes the second user's account identifier.

18. (Original) The method according to claim 17, wherein the second user's account identifier includes at least one of an account type and an account number.

19. (Original) The method according to claim 1, wherein the second user's financial account information includes the second user's financial institution routing number.

20. - 21. (Cancelled)

22. (Currently Amended) A method for performing a financial transaction comprising:

presenting a customer with an amount due in response to a customer's product selection;

accepting a customer's programmable memory device within a reader portion of a merchant's terminal to facilitate payment of the amount due;

accessing a portion of the customer's programmable memory device containing payment information, wherein the payment information includes at least network address instructions for an issuer of the customer's programmable memory device, a digital certificate for identifying the customer, the customer's financial account information, an encryption program, and a customer memo balance containing updated customer account balances;

identifying the customer through the digital certificate;

receiving a customer's account selection;

checking a customer's memo balance for the selected account to determine if funds therein are sufficient to pay the amount due;

downloading the payment information from the programmable memory device to a memory portion of the merchant's terminal;

storing the payment information from the programmable memory device in a memory portion of the merchant's terminal for ~~future~~ settlement processing of the financial transaction along with at least one other financial transaction;

releasing the selected product to the customer;

uploading the payment information to the issuer of the programmable memory device for further processing and settlement of the financial transaction.

23. (Original) The method according to claim 22, wherein the terminal is wireless.

24. (Original) The method according to claim 22, further comprising:

receiving verification from the issuer of the programmable memory device that the financial transaction is authorized; and

updating a merchant transaction log in the memory portion of the terminal to reflect authorization of the financial transaction by the issuer of the programmable memory device.

25. - 27. (Cancelled)

28. (Previously Presented) A system for facilitating a financial transaction comprising:

a first programmable memory device issued to a customer including

(a) at least one processor;

(b) a digital certificate for identifying the customer;

(c) the customer's financial account information;

(d) network addressing instructions for at least the issuer of the first programmable memory device;

(e) an encryption program for encrypting at least (b) and (c) wherein the encryption program is employed by the customer after issuance of the first programmable memory device thereto for generating a private/public key pair; and

(f) at least one re-writable memory configured to track information related to the financial transaction;

a terminal for reading information from the first programmable memory device to facilitate a payment from at least one of a customer's financial accounts;

a server for receiving information from the terminal read from the first programmable memory device and authorizing payment from at least one of the customer's financial accounts; and

a second programmable memory device issued to a merchant for storing information related to a plurality of financial transactions from a plurality of customers, wherein the programmable memory device is connectable to a network for processing the plurality of financial transactions, wherein the programmable memory device is a smart card or a terminal.